IFW

Docket: 009005

AU5 0 9 2004 19

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:
Application No.:

John D. Dobak III et al.

Date Filed:

10/749,140 12/29/2003

Title:

METHOD OF MAKING SELECTIVE ORGAN COOLING CATHETER

Group Art Unit.:

3739

Atty. Docket No.:

009005

## INFORMATION DISCLOSURE STATEMENT (IDS)

Mail Stop DD Assistant Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SIR:

In accordance with 37 C.F.R. §1.56 and in compliance with 37 C.F.R. §§1.97 and 1.98, the references listed on attached Form PTO/SB/08 and/or subsequently identified herein, are being submitted herewith for consideration by the United States Patent and Trademark Office.

|      |                             | orania of the office of  | atos i atom and Trademark Office.  |  |
|------|-----------------------------|--|--|--|
| I.   | COPIES<br>a. ☐<br>b. ☑      | A legible copy of (i) ea<br>caused it to be listed; and<br>listed, is included herewit<br>Any patents, publications<br>not enclosed herewith w | ach foreign patent; (ii) each public (iii) all other information or that th. so or other information which are listere previously cited by or submitty which has been relied upon for an | portion which caused it to be<br>sted on PTO/SB/08 which are<br>ted to the PTO in one of the |
|      |                             | U.S. Serial Number   |  | U.S. Filing Date   |
|      |                             | 09/836,585   |  | 04/16/2001   |
| II.  | <u>CONCI</u> a. ⊠ b. □ c. □ | Except as may be indicated other information are in the A concise explanation of listed that is not in the En                                  | CHE RELEVANCE (check at least ed below in (b) of this section, all he English language (concise explast the relevance of all patents, publication is provided for the Example 1.         | of the patents, publications or<br>mation not required).<br>lications or other information   |
| ш. 🗆 | The Exthat ma               | y be related to the prese  | FED APPLICATION(S) c following co-pending application ent application. By bringing thi does (do) not waive the confident   | s (these) applications to the  |
|      | Serial N                    | <u>lo.</u>   | Filing Date  | Art Unit .   |
|      |                             |  |  |  |

Docket: 009005

## **FEES**

| IV. 🛛  | THIS II                    | OS IS BEING FILED UNDER 37 C.F.R. §1.97(b): (check one box)  |
|--------|----------------------------|--|
|        | a. [_]                     | within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. §1.97(b)(1)). No fee or statement is  |
|        | b.                         | required. within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. §1.97(b)(2)). No fee or statement is required.   |
|        | c.🛛                        | before the mailing date of a first Office Action on the merits (37 C.F.R. §1.97(b)(3)). No fee or statement is required.   |
|        | d.                         | before the mailing date of a first Office Action after the filing of a request for continued examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.  |
| V. 🗌   | before to Allowar applicat | OS IS BEING FILED UNDER 37 C.F.R. §1.97(c): (check one box) the mailing date of any of a Final Office Action under 37 C.F.R. §1.113, a Notice of the under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the ion (See 37 C.F.R. §1.97(c)).   |
|        | a. 🗌<br>b. 🔲               | No statement; therefore, charge deposit account 50-1047 the fee set forth in 37 C.F.R. §1.17(p). See the statement below. No fee is required.  |
| VI. 🗌  |                            | OS IS BEING FILED UNDER 37 C.F.R. §1.97(d):  If ore payment of the issue fee and is accompanied by the following:  a statement under 37 C.F.R. §1.97(e) as provided below; and   |
|        | 2)                         | charge deposit account 50-1047 the petition fee set forth in §1.17(p).   |
| VII. 🗌 |                            | MENT UNDER 37 C.F.R. §1.97(e) (check only one box, if applicable) dersigned hereby states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months   |
|        | b. 🗌                       | prior to the filing of IDS; or<br>no item of information contained in the IDS was cited in a communication from a foreign<br>Patent Office in a counterpart foreign application, and to knowledge of the person signing<br>the statement after making reasonable inquiry, no item of information contained in the<br>IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months<br>prior to the filing of this statement, or   |
|        | c.                         | some of the items of information contained in the IDS were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement. |
| VIII.  | PAYME                      | ENT OF FEES  A check in the amount of is enclosed for the above-identified fee(s).   |
|        |                            | Please charge Deposit Account No. 50-1047 in the amount of \$180.00 for the above-indicated fee(s).  |
|        |                            | If Applicant has overlooked any additional fees, or if any overpayment has been made, the Commissioner is hereby authorized to credit or debit Deposit Account 50-1047. Two Copies of this paper are attached for Deposit Account charges and debits.  |

Docket: 009005

It is Applicant(s)' opinion that the claims presently on file patently distinguish the present invention from each of these references. The above references are being cited only in the interests of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in a combination, to a person of ordinary skill in the art.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 50-1047.

Respectfully submitted,

Keum J. Park

MAYER FORTKORT & WILLIAMS

Customer Number 27774

Reg. No. 42,059

Tel.: 908-518-7700

FAX: 908-518-7795

Enclosures:

PTO/SB/08

References; US patents omitted, as not required

Foreign Search Report

Other:

I certify that this document and fee is being deposited

With the U.S. Postal Service as first class mail

under 37 C.F.R. 1.8 and is addressed to Mail Stop DD, Commissioner

for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Joanne Ryan

Typed or Printed Name of Person Mailing Certificate

PTO/SB/O8A (10-96)

Approved for use through 10/31/99, OMB 0651-0031

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of equired to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO AU6 0 9 2004 INFORMATION DISCLOSUR STATEMENT BY (use as many sheets as necessary) Sheet of

| Complete if Known      |                           |  |  |  |  |  |  |  |
|------------------------|---------------------------|--|--|--|--|--|--|--|
| Application Number     | 10/749,140                |  |  |  |  |  |  |  |
| Filing Date            | December 29, 2003         |  |  |  |  |  |  |  |
| First Named Inventor   | John D. Dobak, III et al. |  |  |  |  |  |  |  |
| Group Art Unit         | 3739                      |  |  |  |  |  |  |  |
| Examiner Name          | Unknown                   |  |  |  |  |  |  |  |
| Attorney Docket Number | 009005                    |  |  |  |  |  |  |  |

|                       |                          |  |   | U.S. PATENT DOCUM                                  | MENTS   |   |
|-----------------------|--------------------------|--|---|--|---|---|
|                       |                          | U.S. Patent Documen                      | t |  |   |   |
| Examiner<br>Initials' | Cite<br>No. <sup>1</sup> | Number Kind Code <sup>2</sup> (if known) |   | Name of Patentee or Applicant of Cited<br>Document | Date of Publications of<br>Cited document<br>MM-DD-YYYY | Pages, Column, Lines, Where Relevant Passages<br>or Relevant Figures Appear |
|                       | AA                       | 2,308,484                                |   | Auzin, et al.                                      | 01/19/1943  |   |
|                       | AB                       | 2,374,609                                |   | McCollum   | 04/24/1945  |   |
|                       | AC                       | 2,615,686                                |   | Davidson   | 10/28/1982  |   |
|                       | AD                       | 2,672,032                                |   | Towse  | 03/16/1954  |   |
|                       | AE                       | 2,913,009                                |   | Kuthe  | 11/17/1959  |   |
|                       | AF                       | 3,298,371                                |   | A.S.J. Lee   | 01/17/1967  |   |
|                       | AG                       | 3,425,419                                |   | A.A. Dato  | 02/04/1969  |   |
|                       | AH                       | 3,460,538                                |   | Armstrong  | 08/12/1969  |   |
|                       | Al                       | 3,504,674                                |   | Swenson, et al.                                    | 04/07/1970  |   |
|                       | AJ                       | 3,612,175                                |   | Ford et al.  | 07/01/1969  |   |
|                       | AK                       | 3,865,116                                |   | Brooks   | 02/11/1975  |   |
|                       | AL                       | 3,888,259                                |   | Miley  | 06/10/1975  |   |
|                       | AM                       | 3,971,383                                |   | Van Gerven   | 07/27/1976  |   |
|                       | AN                       | 4,038,519                                |   | Foucras  | 07/26/1977  |   |
| _                     | AO                       | 4,153,048                                |   | Magrini  | 05/18/1979  |   |
|                       | AP                       | 4,190,033                                |   | Foti   | 02/26/1980  |   |
|                       | AQ                       | 4,231,425                                |   | Engstrom   | 11/04/1980  |   |
|                       | AR                       | 4,275,734                                |   | Mitchiner  | 06/30/1981  |   |
|                       | AS                       | 4,298,006                                |   | Parks  | 11/03/1981  |   |
|                       | AT                       | 4,318,722                                |   | Altman   | 03/09/1982  |   |
|                       | AU                       | 4,427,009                                |   | Wells, et al.                                      | 01/24/1984  |   |
|                       | AV                       | 4,445,500                                |   | Osterholm  | 05/01/1984  |   |
|                       | AW                       | 4,483,341                                |   | Witteles   | 11/20/1984  |   |
|                       | AX                       | 4,484,586                                |   | McMickle et al.                                    | 11/27/1984  |   |
|                       | AY                       | 4,502,286                                |   | Okada, et al.                                      | 03/05/1985  |   |
|                       | AZ                       | 4,569,355                                |   | Bitterly   | 02/11/1986  |   |
|                       | BA                       | 4,581,017                                |   | Sahota   | 04/08/1986  |   |
|                       | BB                       | 4,602,642                                |   | O'Hara et al.                                      | 07/29/1986  |   |
|                       | ВС                       | 4,655,746                                |   | Daniels, et al.                                    | 04/07/1987  |   |
|                       | BD                       | 4,672,962                                |   | Hershenson   | 06/16/1987  |   |
|                       | BE                       | 4,731,072                                |   | Aid  | 09/06/1994  |   |
|                       | BF                       | 4,745,922                                |   | Taylor   | 05/24/1988  |   |
| Evamine               |                          |  | _ |  | Date  | <del></del>   |

Examiner Date Considered Signature

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

12 Unique citation designation number. 2See attached Kinds of U.S. Patent Documents. 3Enter Office that issued the document by the two-letter code (WIPO Standard ST.3). 4For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

5Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 4Applicant is to place a check mark here if

English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and trademark Office, Washington, DC 20231.

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to a collection of information unless it contains a valid OMB control number.

| Substitute             | for form 1449A/PTC | )      |           | Complete if Known      |                           |  |
|------------------------|--------------------|--------|-----------|------------------------|---------------------------|--|
| Cabbillato             | 10/10/11/1440/4/17 | •      |           | Application Number     | 10/749,140                |  |
| INF                    | ORMATION E         | DISC   | LOSURE    | Filing Date            | December 29, 2003         |  |
| STATEMENT BY APPLICANT |                    |        |           | First Named Inventor   | John D. Dobak, III et al. |  |
|                        |                    |        |           | Group Art Unit         | 3739                      |  |
| (u:                    | se as many sheets  | s as n | ecessary) | Examiner Name          | Unknown                   |  |
| Sheet                  | 2                  | of     | 21        | Attorney Docket Number | 009005                    |  |

|                       | U.S. PATENT DOCUMENTS  U.S. Patent Document |   |                  |  |   |   |  |  |
|-----------------------|---|---|------------------|--|---|---|--|--|
| Examiner<br>Initials' | Cite Number Kind Code <sup>2</sup>          |   | ode <sup>2</sup> | Name of Patentee or Applicant of Cited<br>Document | Date of Publications of<br>Cited document<br>MM-DD-YYYY | Pages, Column, Lines, Where Relevant Passages<br>or Relevant Figures Appear |  |  |
|                       | BG  | 4,748,979                               |                  | Hershenson   | 06/07/1988  |   |  |  |
|                       | ВН  | 4,750,493                               |                  | Brader   | 06/14/1988  |   |  |  |
|                       | BI  | 4,762,129                               |                  | Bonzel   | 08/09/1988  |   |  |  |
|                       | BJ  | 4,762,130                               |                  | Fogarty, et al.                                    | 08/09/1988  |   |  |  |
|                       | вк  | 4,817,624                               |                  | Newbower   | 04/04/1989  |   |  |  |
|                       | BL  | 4,820,349                               |                  | Saab   | 04/11/1989  |   |  |  |
|                       | ВМ  | 4,860,744                               |                  | Johnson et al.                                     | 08/29/1989  |   |  |  |
|                       | BN  | 4,883,455                               |                  | Leonard  | 11/18/1989  |   |  |  |
|                       | ВО  | 4,894,164                               |                  | Polaschegg   | 01/16/1990  |   |  |  |
| *                     | BP  | 4,904,237                               |                  | Janese   | 02/27/1990  |   |  |  |
|                       | BQ  | 4,920,963                               |                  | Brader   | 05/01/1990  |   |  |  |
|                       | BR  | 4,951,677                               |                  | Crowley, et al.                                    | 08/28/1990  |   |  |  |
|                       | BS  | 4,964,409                               |                  | Tremulis   | 10/23/1990  |   |  |  |
|                       | BT  | 5,000,734                               |                  | Boussignac et al.                                  | 03/19/1991  |   |  |  |
|                       | BU  | 5,002,531                               |                  | Bonzel   | 03/26/1991  |   |  |  |
|                       | BV  | 5,014,695                               |                  | Benak, et al.                                      | 05/14/1991  |   |  |  |
| •                     | BW  | 5,018,521                               |                  | Campbell   | 95/28/1991  |   |  |  |
|                       | BX  | 5,019,075                               |                  | Spears, et al.                                     | 05/28/1991  |   |  |  |
| <del></del>           | BY  | 5,024,668                               |                  | Peters et al.                                      | 06/18/1991  |   |  |  |
|                       | BZ  | 5,041,089                               |                  | Mueller, et al.                                    | 08/20/1991  |   |  |  |
|                       | CA  | 5,046,497                               |                  | Millar   | 09/10/1991  |   |  |  |
|                       | СВ  | 5,078,713                               |                  | Varney   | 01/07/1992  |   |  |  |
|                       | СС  | 5,089,260                               |                  | Hunter et al.                                      | 02/18/1992  |   |  |  |
|                       | CD  | 5,092,841                               |                  | Spears   | 03/03/1992  |   |  |  |
|                       | CE  | 5,106,360                               |                  | Ishwara, et al.                                    | 04/21/1992  |   |  |  |
|                       | CF  | 5,108,390                               |                  | Potocky et al.                                     | 04/28/1992  |   |  |  |
|                       | CG  | 5,110,721                               |                  | Anaise, et al.                                     | 05/05/1992  |   |  |  |
|                       | СН  | 5,117,822                               |                  | Laghi  | 06/02/1992  |   |  |  |
|                       | CI  | 5,147,355                               |                  | Friedman et al.                                    | 09/15/1992  |   |  |  |
|                       | CJ  | 5,149,321                               |                  | Klatz, et al.                                      | 09/22/1992  |   |  |  |
|                       | СК  | 5,150,706                               | -                | Cox, et al.  | 09/29/1992  |   |  |  |
|                       | CL  | 5,151,100                               |                  | Abele, et al.                                      | 09/29/1992  |   |  |  |
| xamine                |   | , ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, |                  | ,, ot al.  | Date  |   |  |  |

Signature \*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

considered. Include copy of this form with next communication to applicant.

12 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document by the two-letter code (WIPO) Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and trademark Office, Washington, DC 20231.

of

Sheet

Examiner

Signature

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE

009005

Under the Paperwork Reduction Act of 1995, no persons are required to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449A/PTO **Application Number** 10/749,140 INFORMATION DISCLOSURE Filing Date December 29, 2003 First Named Inventor John D. Dobak, III et al. STATEMENT BY APPLICANT Group Art Unit 3739 (use as many sheets as necessary) **Examiner Name** Unknown

Attorney Docket Number

|                       |                          |  |                  | U.S. PATENT DOCUM                                  | IENTS   |   |
|-----------------------|--------------------------|--|------------------|--|---|---|
| Examiner<br>Initials' | Cite<br>No. <sup>1</sup> | U.S. Patent Documer  Number Kind C  (if know | ode <sup>2</sup> | Name of Patentee or Applicant of Cited<br>Document | Date of Publications of<br>Cited document<br>MM-DD-YYYY | Pages, Column, Lines, Where Relevant Passages<br>or Relevant Figures Appear |
|                       | СМ                       | 5,190,539                                    |                  | Fletcher, et al.                                   | 03/02/1993  |   |
|                       | CN                       | 5,191,883                                    |                  | Lennox, et al.                                     | 03/09/1993  |   |
|                       | co                       | 5,196,024                                    | <u> </u>         | Barath   | 03/23/1993  |   |
|                       | CP                       | 5,211,631                                    |                  | Sheaff   | 05/18/1993  |   |
|                       | CQ                       | 5,234,405                                    |                  | Klatz, et al.                                      | 08/10/1993  |   |
|                       | CR                       | 5,246,421                                    |                  | Saab   | 09/21/1993  |   |
|                       | cs                       | 5,248,312                                    |                  | Langberg   | 09/28/1993  |   |
|                       | CT                       | 5,250,070                                    |                  | Parodi   | 10/05/1993  |   |
|                       | CU                       | 5,257,977                                    |                  | Eshel  | 11/02/1993  |   |
|                       | CV                       | 5,264,260                                    |                  | Saab   | 11/23/1993  |   |
|                       | CW                       | 5,267,341                                    |                  | Shearin  | 11/30/1993  |   |
|                       | CX                       | 5,269,369                                    |                  | Faghri   | 12/14/1993  |   |
|                       | CY                       | 5,269,749                                    |                  | Koturov  | 12/14/1993  |   |
|                       | CZ                       | 5,269,758                                    |                  | Taheri   | 12/14/1993  |   |
|                       | DA                       | 5,281,213                                    |                  | Milder et al.                                      | 01/25/1994  |   |
|                       | DB                       | 5,281,215                                    |                  | Milder   | 01/25/1994  |   |
|                       | DC                       | 5,306,261                                    |                  | Alliger et al.                                     | 04/26/1994  |   |
|                       | DD                       | 5,310,440                                    |                  | Zingher  | 05/10/1994  |   |
|                       | DE                       | 5,334,193                                    |                  | Nardella   | 08/02/1994  |   |
| _                     | DF                       | 5,342,301                                    |                  | Saab   | 08/30/1994  |   |
|                       | DG                       | 5,342,621                                    |                  | Eury   | 08/30/1994  |   |
|                       | DH                       | 5,344,436                                    |                  | Fontenot, et al.                                   | 09/06/1994  |   |
|                       | DI                       | 5,344,740                                    |                  | lwasawa et al.                                     | 09/06/1994  |   |
|                       | DJ                       | 5,358,486                                    |                  | Saab   | 10/25/1994  |   |
|                       | DK                       | 5,365,750                                    |                  | Greenthal  | 11/22/1994  |   |
|                       | DL                       | 5,368,591                                    |                  | Lennox, et al.                                     | 11/29/1994  |   |
|                       | DM                       | 5,383,854                                    |                  | Safar et al.                                       | 01/24/1995  |   |
|                       | DN                       | 5,383,918                                    |                  | Panetta  | 01/24/1995  |   |
|                       | DO                       | 5,395,314                                    |                  | Klatz, et al.                                      | 03/07/1995  |   |
|                       | DP                       | 5,395,331                                    |                  | O'Neill, et al.                                    | 03/07/1995  |   |
|                       | DQ                       | 5,403,281                                    |                  | O'Neill et al.                                     | 04/04/1995  |   |
|                       | DR                       | 5,417,686                                    |                  | Peterson, et al.                                   | 05/23/1995  |   |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

Date

considered. Include copy of this form with next communication to applicant.

12 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document by the two-letter code (WIPO). Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and trademark Office, Washington, DC 20231.

Signature

Approved for use through 10/31/99, OMB 0651-0031

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to a collection of information unless it contains a valid OMB control number.

| Substitute fo    | or form 1449A/PTO | )       |                        | Complete if Known    |                           |  |
|------------------|-------------------|---------|------------------------|----------------------|---------------------------|--|
|                  |                   |         |                        | Application Number   | 10/749,140                |  |
| INFO             | RMATION [         | DISCI   | OSURE                  | Filing Date          | December 29, 2003         |  |
| STA <sup>*</sup> | <b>TEMENT BY</b>  | ' APP   | LICANT                 | First Named Inventor | John D. Dobak, III et al. |  |
|                  |                   |         |                        | Group Art Unit       | 3739                      |  |
| (use             | e as many sheet   | s as ne | cessary)               | Examiner Name        | Unknown                   |  |
| Sheet            | Sheet 4 of 21     |         | Attorney Docket Number | 009005               |                           |  |

|                       | U.S. PATENT DOCUMENTS  U.S. Patent Document |                          |              |  |   |   |  |
|-----------------------|---|--------------------------|--------------|--|---|---|--|
| Examiner<br>Initials' | Cite<br>No.1                                | Number Kind (<br>(if knc |              | Name of Patentee or Applicant of Cited<br>Document | Date of Publications of<br>Cited document<br>MM-DD-YYYY | Pages, Column, Lines, Where Relevant Passages<br>or Relevant Figures Appear |  |
|                       | DS  | 5,423,745                |              | Todd, et al.                                       | 06/13/1995  |   |  |
|                       | DT  | 5,423,807                |              | Milder   | 06/13/1995  |   |  |
|                       | DU  | 5,433,740                |              | Yamaguchi  | 07/18/1995  |   |  |
|                       | DV  | 5,437,673                |              | Baust, et al.                                      | 08/01/1995  |   |  |
|                       | DW  | 5,443,456                |              | Alliger et al.                                     | 08/22/1995  |   |  |
|                       | DX  | 5,462,521                |              | Brucker et al.                                     | 10/31/1995  |   |  |
|                       | DY  | 5,486,204                |              | Clifton  | 01/23/1996  |   |  |
|                       | DZ  | 5,486,208                |              | Ginsburg   | 01/23/1996  |   |  |
|                       | EA  | 5,496,271                |              | Burton et al.                                      | 03/05/1996  |   |  |
|                       | EB  | 5,499,973                |              | Saab   | 03/19/1996  |   |  |
|                       | EC  | 5,531,776                |              | Ward et al.  | 07/02/1996  |   |  |
|                       | ED  | 5,545,708                |              | Onwunaka et al.                                    | 08/13/1996  |   |  |
|                       | EE  | 5,558,644                |              | Boyd, et al.                                       | 09/24/1996  |   |  |
|                       | EF  | 5,569,195                |              | Saab   | 10/29/1996  |   |  |
|                       | EG  | 5,573,532                |              | Chang, et al.                                      | 11/12/1996  |   |  |
|                       | EH  | 5,578,008                |              | Hara   | 11/26/1996  |   |  |
|                       | EI  | 5,584,804                |              | Klatz, et al.                                      | 12/17/1996  |   |  |
|                       | EJ  | 5,588,438                |              | McKown et al.                                      | 12/31/1996  |   |  |
|                       | EK  | 5,591,162                |              | Fletcher, et al.                                   | 01/07/1997  |   |  |
|                       | EL  | 5,620,480                |              | Rudie  | 04/15/1997  |   |  |
|                       | EM  | 5,622,182                |              | Jaffe  | 04/22/1997  |   |  |
|                       | EN  | 5,624,342                |              | Younger  | 08/29/1997  |   |  |
|                       | EO  | 5,624,392                |              | Saab   | 04/29/1997  |   |  |
|                       | EP  | 5,630,837                |              | Crowley  | 05/20/1997  |   |  |
|                       | EQ  | 5,643,197                |              | Brucker et al.                                     | 07/01/1997  |   |  |
|                       | ER  | 5,647,051                |              | Neer   | 07/08/1997  |   |  |
|                       | ES  | 5,653,692                |              | Masterson et al.                                   | 08/05/1997  |   |  |
|                       | ET  | 5,676,693                |              | LaFontaine   | 10/14/1997  |   |  |
|                       | EU  | 5,709,654                |              | Klatz et al.                                       | 01/20/1998  |   |  |
|                       | EV  | 5,713,941                |              | Robins, et al.                                     | 02/03/1998  |   |  |
|                       | EW  | 5,716,386                | <b> </b>     | Ward, et al.                                       | 02/10/1998  |   |  |
|                       | EX  | 5,733,318                | <u> </u>     | Augustine  | 03/31/1998  |   |  |
| xamine                |   |                          | <del>!</del> |  | Date  |   |  |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

considered. Include copy of this form with next communication to applicant.

2 Unique citation designation number. See attached Kinds of U.S. Patent Documents. Enter Office that issued the document by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and trademark Office, Washington, DC 20231.

Signature

Approved for use through 10/31/99, OMB 0651-0031

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to a collection of information unless it contains a valid OMB control number.

Complete if Known Substitute for form 1449A/PTO **Application Number** 10/749,140 INFORMATION DISCLOSURE Filing Date December 29, 2003 First Named Inventor STATEMENT BY APPLICANT John D. Dobak, III et al. **Group Art Unit** 3739 (use as many sheets as necessary) **Examiner Name** Unknown Sheet 5 of Attorney Docket Number 009005

| <del></del>           |              | U.S. Patent Document        | U.S. PATENT DOCU                                       | MENIS   |   |
|-----------------------|--------------|-----------------------------|--|---|---|
| Examiner<br>Initials' | Cite<br>No.1 | Number Kind Co<br>(if known | de <sup>2</sup> Name of Patentee or Applicant of Cited | Date of Publications of<br>Cited document<br>MM-DD-YYYY | Pages, Column, Lines, Where Relevant Passage or Relevant Figures Appear |
|                       | EY           | 5,735,809                   | Gorsuch  | 04/07/1998  |   |
|                       | EZ           | 5,797,878                   | Bleam  | 08/25/1998  |   |
|                       | FA           | 5,799,661                   | Boyd et al.  | 09/01/1998  |   |
|                       | FB           | 5,800,480                   | Augustine, et al.                                      | 09/01/1998  |   |
|                       | FC           | 5,800,483                   | Vought   | 09/01/1998  |   |
|                       | FD           | 5,800,486                   | Thome et al.   | 09/01/1998  |   |
|                       | FE           | 5,807,391                   | Wijkamp  | 09/15/1998  |   |
|                       | FF           | 5,820,593                   | Safar et al.   | 10/13/1998  |   |
|                       | FG           | 5,824,030                   | Yang, et al.   | 10/20/1998  |   |
|                       | FH           | 5,827,222                   | Klatz, et al.  | 10/27/1998  |   |
|                       | FI           | 5,827,237                   | Macoviak, et al.                                       | 10/27/1998  |   |
|                       | FJ           | 5,827,269                   | Saadat   | 10/27/1998  |   |
|                       | FK           | 5,833,671                   | Macoviak, et al.                                       | 11/10/1998  |   |
|                       | FL           | 5,837,003                   | Ginsburg   | 11/17/1998  |   |
|                       | FM           | 5,861,021                   | Thome et al.   | 01/19/1999  |   |
|                       | FN           | 5,868,735                   | Lafontaine   | 02/09/1999  |   |
|                       | FO           | 5,871,526                   | Gibbs, et al.  | 02/16/1999  |   |
|                       | FP           | 5,873,835                   | Hastings, et al.                                       | 02/23/1999  |   |
| _                     | FQ           | 5,879,316                   | Safar et al.   | 03/09/1999  |   |
|                       | FR           | 5,879,329                   | Ginsburg   | 03/09/1999  |   |
|                       | FS           | 5,899,898                   | Arless et al.  | 05/04/1999  |   |
|                       | FT           | 5,899,899                   | Arless, et al.   | 05/04/1999  |   |
|                       | FU           | 5,902,268                   | Saab   | 05/11/1999  |   |
|                       | FV           | 5,906,588                   | Safar et al.   | 05/25/1999  |   |
|                       | FW           | 5,906,594                   | Scarfone et al.  | 05/25/1999  |   |
|                       | FX           | 5,906,636                   | Casscells, III et al.                                  | 05/25/1999  |   |
|                       | FY           | 5,910,104                   | Dobak, III et al.                                      | 06/08/1999  |   |
|                       | FZ           | 5,913,856                   | Chia et al.  | 06/22/1999  |   |
|                       | GA           | 5,913,885                   | Klatz, et al.  | 06/22/1999  |   |
|                       | GB           | 5,913,886                   | Soloman  | 06/22/1999  |   |
| ···                   | GC           | 5,916,242                   | Schwartz   | 06/29/1999  |   |
|                       | GD           | 5,957,963                   | Dobak, III   | 09.28.1999  |   |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

considered. Include copy of this form with next communication to applicant.

12 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document by the two-letter code (WIPO) Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to a collection of information unless it contains a valid OMB control number.

| Substitute fo    | or form 1449A/P   | TO         |         | Compl                  | ete if Known              |
|------------------|-------------------|------------|---------|------------------------|---------------------------|
|                  | , 101111 14407 01 | .0         |         | Application Number     | 10/749,140                |
| INFO             | RMATION           | DISCL      | OSURE   | Filing Date            | December 29, 2003         |
| STA <sup>-</sup> | TEMENT E          | BY APPL    | -ICANT  | First Named Inventor   | John D. Dobak, III et al. |
|                  |                   |            |         | Group Art Unit         | 3739                      |
| (use             | e as many she     | ets as nec | essary) | Examiner Name          | Unknown                   |
| Sheet            | 6                 | of         | 21      | Attorney Docket Number | 009005                    |

|                       | ,   |                     |  | U.S. PATENT DOCUM                                       | 1ENTS  |  |
|-----------------------|---|---------------------|--|---|--|--|
|                       |   | U.S. Patent Documen | t  |   |  |  |
| Examiner<br>Initials' | Cite Number Kind Code <sup>2</sup> (if known) |                     | Name of Patentee or Applicant of Cited<br>Document | Date of Publications of<br>Cited document<br>MM-DD-YYYY | Pages, Column, Lines, Where Relevant Passages or Relevant Figures Appear |  |
|                       | GE  | 5,971,979           |  | Joye et al.   | 10/26/1999   |  |
|                       | GF  | 5,989,238           |  | Ginsburg  | 11/23/1999   |  |
|                       | GG  | 6,019,783           |  | Philips et al.  | 02/01/2000   |  |
|                       | GH  | 6,022,336           |  | Zadno-Azizi et al.                                      | 02/08/2000   |  |
|                       | GI  | 6,024,740           |  | Lesh et al.   | 02/15/2000   |  |
|                       | GJ  | 6,033,383           |  | Ginsburg  | 03/07/2000   |  |
|                       | GK  | 6,042,559           |  | Dobak, III  | 03/28/2000   |  |
|                       | GL  | 6,051,019           |  | Dobak, III  | 04/18,2000   |  |
|                       | GM  | 6,096,068           |  | Dobak, III et al.                                       | 08/01/2000   |  |
|                       | GN  | 6,110,168           |  | Ginsburg  | 08/29/2000   |  |
|                       | GO  | 6,126,684           |  | Gobin et al.  | 10/03/2000   |  |
|                       | GP  | 6,146,411           |  | Noda et al.   | 11/14/2000   |  |
|                       | GQ  | 6,149,670           |  | Worthen et al.  | 11/21/2000   |  |
|                       | GR  | 6,149,673           |  | Ginsburg  | 11/21/2000   |  |
|                       | GS  | 6,149,676           |  | Ginsburg  | 11/21/2000   |  |
|                       | GT  | 6,149,677           |  | Dobak, III  | 11/21/2000   |  |
|                       | GU  | 6,165,207           |  | Balding et al.  | 12/26/2000   |  |
|                       | GV  | 6,194,899           |  | Ishihara et al.   | 02/27/2001   |  |
|                       | GW  | 6,224,624           |  | Lasheras et al.   | 05/01/2001   |  |
|                       | GX  | 6,231,594           |  | Dae   | 05/15/2001   |  |
|                       | GY  | 6,231,595           |  | Dobak, III  | 05/15/2001   |  |
|                       | GZ  | 6,235,048           |  | Dobak, III  | 05/22/2001   |  |
|                       | HA  | 6,238,428           |  | Werneth et al.  | 05/29/2001   |  |
|                       | НВ  | 6,245,095           |  | Dobak, III et al.                                       | 06/12/2001   |  |
|                       | HC  | 6,251,129           |  | Dobak, III et al.                                       | 06/26/2001   |  |
|                       | HD  | 6,251,130           |  | Dobak, III et al.                                       | 06/26/2001   |  |
|                       | HE  | 6,254,626           |  | Dobak, III et al.                                       | 07/03/2001   |  |
|                       | HF  | 6,264,679           |  | Keller et al.   | 07/24/2001   |  |
|                       | НН  | 6,277,143           |  | Klatz et al.  | 08/21/2001   |  |
|                       | HI  | 6,287,326           |  | Pecor   | 09/11/2001   |  |
|                       | н   | 6,290,717           |  | Philips   | 09/18/2001   |  |
|                       | HJ  | 6,306,161           |  | Ginsburg  | 10/23/2001   |  |

Examiner Date Signature Considered

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

<sup>&</sup>lt;sup>12</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE

| Substitute | for form 1449A/PT                 | <u> </u> |       | Complete if Known      |                           |  |
|------------|-----------------------------------|----------|-------|------------------------|---------------------------|--|
| Substitute | 101 101111 1443/41 1              | O        |       | Application Number     | 10/749,140                |  |
| INFO       | ORMATION                          | DISCL    | OSURE | Filing Date            | December 29, 2003         |  |
| STA        | STATEMENT BY APPLICANT            |          |       | First Named Inventor   | John D. Dobak, III et al. |  |
| 0.7        |                                   |          |       | Group Art Unit         | 3739                      |  |
| (us        | (use as many sheets as necessary) |          |       | Examiner Name          | Unknown                   |  |
| Sheet      | 7                                 | of       | 21    | Attorney Docket Number | 009005                    |  |

|                       |              |                           |    | U.S. PATENT DOCUM                                  | 1ENTS   |   |
|-----------------------|--------------|---------------------------|----|--|---|---|
|                       |              | U.S. Patent Documer       | nt |  | ,   |   |
| Examiner<br>Initials' | Cite<br>No.1 | Number Kind C<br>(if know |    | Name of Patentee or Applicant of Cited<br>Document | Date of Publications of<br>Cited document<br>MM-DD-YYYY | Pages, Column, Lines, Where Relevant Passages<br>or Relevant Figures Appear |
|                       | НК           | Re. 33,911                |    | Samson et al.                                      | 05/05/1992  |   |
| -                     | 1            | 0004/0004000              |    |  | 0.510.410.00.4  |   |
|                       | HL           | 2001/0001830              |    | Dobak, III et al.                                  | 05/24/2001  |   |
|                       | НМ           | 2001/0001831              |    | Dobak, III et al.                                  | 05/24/2001  |   |
|                       | HN           | 2001/0001832              |    | Dobak, III et al.                                  | 05/24/2001  |   |
|                       | НО           | 2001/0002442              |    | Dobak, III   | 03/31/2001  |   |
|                       | HP           | 2001/0005791              |    | Ginsburg et al.                                    | 06/28/2001  |   |
|                       | HQ           | 2001/0007951              |    | Dobak, III   | 07/12/2001  |   |
|                       | HR           | 2001/0008975              |    | Dobak, III et al.                                  | 07/19/2001  |   |
|                       | HS           | 2001/0010011              |    | Aliberto et al.                                    | 07/26/2001  |   |
|                       | HT           | 2001/0016763              |    | Lasheras et al.                                    | 08/23/2001  |   |
|                       | HU           | 2001/0016764              |    | Dobak, III   | 08/23/2001  |   |
|                       | HV           | 2001/0021865              |    | Dobak, III et al.                                  | 09/13/2001  |   |
| _                     | HW           | 2001/0021866              |    | Dobak, III et al.                                  | 09/13/2001  |   |

|                       |              |   |  | FOREIGN PATENT DO                                  | CUMENTS   |  |              |
|-----------------------|--------------|---|--|--|---|--|--------------|
| Examiner<br>Initials' | Cite<br>No.1 | Foreign Patent Document  Office <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> ( if known) |  | Name of Patentee or Applicant of Cited<br>Document | Date of Publications of<br>Cited document<br>MM-DD-YYYY | Pages, Column, Lines, Where Relevant Passages or Relevant Figures Appear | <u> ⊤6</u> - |
|                       | НХ           | 0 664 990   |  | Heart Rhythm<br>Technologies, Inc.                 | 11/19/1997  |  |              |
|                       | HY           | 2 447 406   |  | Commissariat<br>L'Energie Atomique,<br>France      | 03/06/1980  |  |              |
|                       | HZ           | EP0655225 A1  |  | Cordis Europa N.V.                                 | 05/31/1993  |  |              |
|                       | IA           | SU 806 029  |  | Irkut Medical Inst.                                | 02/23/1981  |  |              |
|                       | IB           | WO 91/05528   |  | Hranulab B.V.                                      | 05/02/1991  |  |              |
|                       | IC           | WO 93/04727   |  | American Medical<br>Systems                        | 03/18/1993  |  |              |
|                       | ID           | WO 95/01814   |  | Urologix, Inc.                                     | 01/19/1995  |  |              |
|                       | IE           | WO 96/40347   |  | Heartport, Inc.                                    | 12/19/1996  |  |              |
|                       | IF           | WO 97/01374   |  | Urologix, Inc.                                     | 01/16/1997  |  |              |

|           | <br>       |  |
|-----------|------------|--|
| Examiner  | Date       |  |
| Signature | Considered |  |
|           |            |  |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

considered. Include copy of this form with next communication to applicant.

12 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and trademark Office, Washington, DC 20231.

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to a collection of information unless it contains a valid OMB control number.

| Substitute | for form 1449A/PTC                | )   | -       | Complete if Known      |                           |  |
|------------|-----------------------------------|-----|---------|------------------------|---------------------------|--|
|            |                                   | •   |         | Application Number     | 10/749,140                |  |
| INF        | DRMATION E                        | ISC | LOSURE  | Filing Date            | December 29, 2003         |  |
| STA        | TEMENT BY                         | API | PLICANT | First Named Inventor   | John D. Dobak, III et al. |  |
|            |                                   |     |         | Group Art Unit         | 3739                      |  |
| (us        | (use as many sheets as necessary) |     |         | Examiner Name          | Unknown                   |  |
| Sheet      | 8                                 | of  | 21      | Attorney Docket Number | 009005                    |  |

|                       |              |   | FOREIGN PATENT DO                                  | CUMENTS   |  |          |
|-----------------------|--------------|---|--|---|--|----------|
| Examiner<br>Initials' | Cite<br>No.1 | Foreign Patent Document  Office <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> ( if known) | Name of Patentee or Applicant of Cited<br>Document | Date of Publications of<br>Cited document<br>MM-DD-YYYY | Pages, Column, Lines, Where Relevant Passages or Relevant Figures Appear | T°       |
|                       | IG           | WO 97/25011   | Thermocorps, Inc.                                  | 07/17/1997  |  |          |
|                       | IH           | WO 97/32818   | Sci-Med Life Systems, Inc.                         | 09/12/1997  |  |          |
|                       | II           | WO 98/26831   | Radiant Medical, Inc.                              | 06/25/1998  |  |          |
|                       | IJ           | WO 98/31312   | Radiant Medical, Inc.                              | 07/23/1998  |  |          |
|                       | IK           | WO 98/49957   | Regents of the University of California            | 11/12/1998  |  |          |
|                       | IL           | WO 99/02096   | Regents of the University of California            | 01/21/1999  |  |          |
|                       | IM           | WO 99/37226   | Del Mar Medical<br>Technologies                    | 07/29/1999  |  |          |
|                       | IN           | WO 99/44519   | Atrionix, Inc.                                     | 09/10/1999  |  |          |
|                       | 10           | WO 99/48449   | Del Mar Medical<br>Technologies, Inc.              | 09/30/1999  |  |          |
|                       | IP           | WO 99/56812   | Atrionix, Inc.                                     | 11/11/1999  |  |          |
|                       | IQ           | WO 99/66970   | Del Mar Medical<br>Technologies, Inc.              | 12/29/1999  |  |          |
|                       | IR           | WO 99/66971   | Del mar Medical<br>Technologies, Inc.              | 12/29/1999  |  |          |
|                       | IS           | WO 00/09054   | Alsius, Inc.                                       | 02/24/2000  |  | -        |
|                       | IT           | WO 00/10494   | Radiant Medical, Inc.                              | 03/02/2000  |  |          |
|                       | ΙU           | WO 00/38601   | Alsius Corporation                                 | 07/06/2000  |  |          |
|                       | IV           | WO 00/47145   | Alsius, Inc.                                       | 08/17/2000  |  |          |
|                       | IW           | WO 00/48670   | Alsius Corporation                                 | 08/24/2000  |  |          |
|                       | IX           | WO 00/51534   | Alsius Corporation                                 | 09/08/2000  |  |          |
|                       | ΙΥ           | WO 00/53135   | Alsius Corporation                                 | 09/14/2000  |  |          |
|                       | IZ           | WO 00/57823   | Alsius Corporation                                 | 10/05/2000  |  |          |
|                       | JA           | WO 00/62837   | Alsius Corporation                                 | 10/26/2000  |  |          |
|                       | JB           | WO 00/66053   | Alsius Corporation                                 | 11/09/2000  |  |          |
|                       | JC           | WO 00/72779   | Alsius Corporation                                 | 12/07/2000  |  | $\vdash$ |
|                       | JD           | WO 00/72787   | Alsius Corporation                                 | 12/07/2000  |  |          |
| -                     | JE           | WO 01/03606   | Alsius Corporation                                 | 01/18/2001  |  |          |
|                       | JF           | WO 01/08580   | Alsius Corporation                                 | 02/08/2001  |  | -        |
|                       | JG           | WO 01/10323   | Radiant Medical, Inc.                              | 02/15/2001  |  |          |

| Examiner  | Date       |  |
|-----------|------------|--|
| Signature | Considered |  |
|           |            |  |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

considered. Include copy of this form with next communication to applicant.

12 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

Please type a plus sign (+) inside this box A +

PTO/SB/O8A (10-96)

Approved for use through 10/31/99, OMB 0651-0031

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to a collection of information unless it contains a valid OMB control number.

| Substitute                        | for form 1449A/PTC | )  |           | Complete if Known      |                           |  |
|-----------------------------------|--------------------|----|-----------|------------------------|---------------------------|--|
| Cubalitate for form 1443/41 TO    |                    |    |           | Application Number     | 10/749,140                |  |
| INFORMATION DISCLOSURE            |                    |    |           | Filing Date            | December 29, 2003         |  |
| STATEMENT BY APPLICANT            |                    |    | PLICANT   | First Named Inventor   | John D. Dobak, III et al. |  |
|                                   |                    |    |           | Group Art Unit         | 3739                      |  |
| (use as many sheets as necessary) |                    |    | ecessary) | Examiner Name          | Unknown                   |  |
| Sheet                             | 9                  | of | 21        | Attorney Docket Number | 009005                    |  |

|                       |      |   | FOREIGN PATENT DO                      | CUMENTS                                | · · · · · · · · · · · · · · · · · · ·                                    |    |
|-----------------------|------|---|--|--|--|----|
| Examiner<br>Initials' | Cite | Foreign Patent Document  Office <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> | Name of Patentee or Applicant of Cited | Date of Publications of Cited document | Pages, Column, Lines, Where Relevant Passages or Relevant Figures Appear | тº |
| initials              | JH   | ( if known)<br>WO 01/10365  | Document Innovaced Therenian Inno      | MM-DD-YYYY                             |  |    |
|                       |      |   | Innercool Therapies, Inc.              | 02/15/2001                             |  |    |
|                       | JI   | WO 01/12061   | Alsius Corporation                     | 02/22/2001                             |  |    |
|                       | IJ   | WO 01/12122   | Alsius Corporation                     | 02/22/2001                             |  |    |
|                       | JK   | WO 01/13809   | Radiant Medical, Inc.                  | 03/01/2001                             |  |    |
|                       | JL   | WO 01/13837   | Innercool Therapies, Inc.              | 03/01/2001                             |  |    |
|                       | JM   | WO 01/17471   | Alsius Corporation                     | 03/15/2001                             |  |    |
|                       | JN   | WO 01/19447   | Alsius Corporation                     | 03/22/2001                             |  |    |
|                       | JO   | WO 01/26590   | Innercool Therapies, Inc.              | 04/19/2001                             |  |    |
|                       | JP   | WO 01/30413   | Alsius Corporation                     | 04/03/2001                             |  |    |
|                       | JQ   | WO 01/52781   | Alsius Corporation                     | 07/26/2001                             |  |    |
|                       | JR   | WO 01/56517   | Alsius Corporation                     | 08/09/2001                             |  |    |
|                       | JS   | WO 01/58397   | Radiant Medical                        | 08/15/2001                             |  | _  |
|                       | JT   | WO 01/64145   | Innercool Therapies, Inc.              | 09/07/2001                             |  |    |
|                       | JW   | WO 01/64146   | Radiant Medical                        | 09/07/2001                             |  | _  |

| Examiner  | Date       |
|-----------|------------|
| Signature | Considered |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

considered. Include copy of this form with next communication to applicant.

12 Unique citation designation number. 2See attached Kinds of U.S. Patent Documents. 3Enter Office that issued the document by the two-letter code (WIPO Standard ST.3). 4For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

of

Approved for use through 10/31/99, OMB 0651-0031

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE

009005

Under the Paperwork Reduction Act of 1995, no persons are required to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449B/PTO **Application Number** 10/749,140 December 29, 2003 INFORMATION DISCLOSURE Filing Date First Named Inventor John D. Dobak, III et al. STATEMENT BY APPLICANT Group Art Unit 3739 (use as many sheets as necessary) **Examiner Name** Unknown Sheet 10

**Attorney Docket Number** 

|                       |              | OTHER PRIOR ART—NON-PATENT LITERATURE DOCUMENTS   |    |
|-----------------------|--------------|---|----|
| Examiner<br>Initials' | Cite<br>No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T² |
|                       | JX           | Alfonsi, P., D. I. Sessler, B. Du Manoir, J-C. Levron, J-P. Le Moing, M. Chauvin, <i>The Effects of Meperidine and Sufentanil on the Shivering Threshold in Postoperative Patients</i> , Anesthesiology, July 1998, 89(1):43–48.                                |    |
|                       | JY           | Ambrus; The Biphasic Nature and Temperature Dependence of the Activation of Human Plasminogen by Urokinase; 05/1979; pp. 339-347; Research Communications in Chemical Pathology and Pharmacology, Vol. 24, No. 2.   |    |
|                       | JZ           | Benzinger, T.H.; On Physical Heart Regulation and Sense of Temperature in Man; Naval Medical Research Institute; Physiology; Volume 45; pp. 645-659; (February 26, 1959)  |    |
|                       | KA           | Bigelo; Hypothermia, Its Possible Role in Cardiac Surgery; 11/1959; pp. 849-866; Annals of Surgery, Vol. 132, No. 5.  |    |
|                       | КВ           | Brengelmann, George L.; Specialized Brain Cooling in Humans?; The FASEB Journal; Volume 7; pp. 1148-1153 (September 1993)   |    |
|                       | KC           | Buggy, D., P. Higgins, C. Moran, F. O'Donovan, and M. McCarroll,<br>Clonidine at Induction Reduces Shivering after General Anaesthesia,<br>1997, pp. 263–267, Can. J. Anaesth., Vol. 44, N. 3.  |    |
|                       | KD           | Cabanac, M., Selective Brain Cooling and Thermoregulatory Set-Point, 1998, pp. 3–13, Journ. of Basic & Clinical Physiology & Pharmacology, Vol. 9, N. 1.  |    |
|                       | KE           | Cabanac, M.; Selective Brain Cooling in Humans: fancy or fact?; The FASEB Journal; Volume 7; pp. 1143-1147 (September 1993)   |    |
|                       | KF           | Capogna, G. and D. Celleno, I. V. Clonidine for Post-Extradural Shivering in Parturients: A Preliminary Study, 1993, Brit. Journ. of Anaesth., Vol. 71.   |    |
|                       | KG           | Cheatle; Cryostripping the Long and Short Saphenous Veins; 01/1993; one page; Br. J. Surg., Vol. 80.  |    |

| Examiner  | Date     |    |
|-----------|----------|----|
| Signature | Consider | ed |
|           |          |    |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

12 Unique citation designation number. Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Sheet

Approved for use through 10/31/99, OMB 0651-0031

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE

009005

Under the Paperwork Reduction Act of 1995, no persons are required to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449B/PTO **Application Number** 10/749,140 December 29, 2003 INFORMATION DISCLOSURE Filing Date First Named Inventor John D. Dobak, III et al. STATEMENT BY APPLICANT Group Art Unit 3739 (use as many sheets as necessary) **Examiner Name** Unknown

**Attorney Docket Number** 

|                       |              | OTHER PRIOR ART—NON-PATENT LITERATURE DOCUMENTS  | Γ              |
|-----------------------|--------------|--|----------------|
| Examiner<br>Initials' | Cite<br>No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.  | T <sup>2</sup> |
|                       | КН           | Cheng, C., T. Matsukawa, D. I. Sessler, M. Ozaki, A. Kurz, B. Merrifield, L. Hank, and P. Olofsson, <i>Increasing Mean Skin Temperature Linearly Reduces the Core-Temperature Thresholds for Vasoconstriction and Shivering in Humans</i> , 05/1995, pp. 1160–1168, Anesthesiology, Vol. 82, N. 5.                   |                |
|                       | KI           | Colvett, K. T., A. F. Althausen, B. Bassil, N. M. Heney, F. V. McGovern, H. H. Young, II, D. S. Kaufman, A. L. Zietman, and W. U. Shipley, Opportunities with Combined Modality Therapy for Selective Organ Preservation in Muscle-Invasive Bladder Cancer, 1996, pp. 201–208, Journ. of Surgical Oncology, Vol. 63. |                |
|                       | JU           | Deklunder, G., M. Dauzat, J-L. Lecroart, J-J. Hauser, and Y. Houdas, "Influence of Ventilation of the Face on Thermoregulation in Man during Hyper- and Hypothermia," <i>Eur. J. Appl. Physiol.</i> , 1991, 62:342–348.  |                |
|                       | JV           | Dexter; Blood Warms as It Blows Retrograde from a Femoral Cannulation Site to the Carotid Artery During Cardiopulmonary Bypass; 11/1994; pp. 393-397; Perfusion, Vol. 9, No. 6.  |                |
|                       | JW           | Gentilello, L. M., "Advances in the Management of Hypothermia," Horizons in Trauma Surgery, 75(2):243–256, April 1995  |                |
|                       | JX           | Giesbrecht, G. G., M. S L. Goheen, C. E. Johnston, G. P. Kenny, G. K. Bristow, and J. S. Hayward, <i>Inhibition of Shivering Increases Core Temperature Afterdrop and Attenuates Rewarming in Hypothermic Humans</i> , 1997, 0161-7567:1630–1634, The American Physiological Society,                                |                |
|                       | JY           | Gillinov; Superior Cerebral Protection with Profound Hypothermia During Circulatory Arrest; 11/1992; pp.1432-1439; Ann. Thorac. Surg., Vol. 55.  |                |
|                       | JZ           | Giuffre, M., J. Finnie, D. A. Lynam, and D. Smith, Rewarming Postoperative Patients: Lights, Blankets, or Forced Warm Air, 12/1991, pp. 387–393, Journ. of Post Anaesthesia Nursing, Vol. 6, N. 6.   |                |
| ·                     | KA<br>L      | Guffin, A., D. Girard, and J. A. Kaplan, Shivering Following Cardiac Surgery: Hemodynamic Changes and Reversal, 02/1987, pp. 24–28, Journ. of Cardiothoracic Anesthesia, Vol. 1, N. 1.   |                |

| Examiner | Date       |
|----------|------------|
|          | Considered |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

12 Unique citation designation number. Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to a collection of information unless it contains a valid OMB control number.

Complete if Known Substitute for form 1449B/PTO **Application Number** 10/749,140 INFORMATION DISCLOSURE Filing Date December 29, 2003 STATEMENT BY APPLICANT First Named Inventor John D. Dobak, III et al. Group Art Unit 3739 (use as many sheets as necessary) **Examiner Name** Unknown Sheet 12 of **Attorney Docket Number** 009005

|                       | ļ            | OTHER PRIOR ART—NON-PATENT LITERATURE DOCUMENTS  |   |
|-----------------------|--------------|--|---|
| Examiner<br>Initials' | Cite<br>No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.        | T |
|                       | KB           | Haley, E. C. et al. "A Randomized Trial of Tirilazad Mesylate in Patients with Acute Stroke (RANTTAS)," <i>Stroke</i> , 27(9):1453–1458, 1996.   |   |
|                       | KC           | Higazi; The Effect of Ultrasonic Irradiation and Temperature on Fibrinolytic Activity in Vitro; 08/1992; p. 251-253; Thrombosis Research, Vol. 69, No. 2.  |   |
|                       | KD           | laizzo, Facial Warming Increases the Threshold for Shivering, 1999; pp. 231–239, Journ. of Neurosurgical Anesthesiology, Vol. 11, No. 4.   |   |
|                       | KE           | Imamaki; Retrograde Cerebral Perfusion with Hypothermic Blood<br>Provides Efficient Protection of the Brain; 07/1995; pp. 325-333; Journal<br>of Cardiac Surgery, Vol. 10, No. 4, Part 1.  |   |
|                       | KF           | Jolin; Management of a Giant Intracranial Aneurysm Using Surface-<br>Heparinized Extracorporeal Circulation and Controlled Deep Hypothermic<br>Low Flow Perfusion; 08/1992; pp. 756-760; Acta Anaesthesiologica<br>Scandinavia.  |   |
|                       | KG           | Jos R.C. Jansen, Ph.D., et al. (1997) Near continuous cardiac output by thermodilution. Journal of Clinical Monitoring 13:233-239.   |   |
|                       | КН           | Keegan, M. T. et al. Shivering Complicating the Treatment of Neurologically Impaired Surgical and Intensive Care Unit Patients, Anesthesiology, 91(3):874–876, September 1999,.  |   |
|                       | KI           | Kimoto; Open Heart Surgery under Direct Vision with the Aid of Brain-Cooling by Irrigation; 07/1955; pp.592-603; Surgery, vol. 39, No. 4.  |   |
|                       | KJ           | Kurz, Martin, et al.; "Naloxone, Meperidine, and Shivering.";<br>Anesthesiology; 79 (6):1193–1201; December 1993.  |   |
|                       | KK           | Lennon, R. L., M. P. Hosking, M. A. Conover, and W. J. Perkins,<br>Evaluation of a Forced-Air System for Warming Hypothermic<br>Postoperative Patients, 1990, pp. 424–427, Anesth. Analg., Vol. 70.  |   |
|                       | KL           | Leslie, K., D. I. Sessler, A. R. Bjorksten, M. Ozaki, T. Matsukawa, and M. Schroeder, <i>Propofol Causes a Dose-Dependent Decrease in the Thermoregulatory Threshold for vasoconstriction but has Little Effect on Sweating</i> , 08/1994, pp. 353–360, Vol. 81, N. 2. |   |

| _         |            |  |
|-----------|------------|--|
| Examiner  | Date       |  |
| Signature | Considered |  |
|           |            |  |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

12 Unique citation designation number. Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE

| Substitute for form 1449B/PTO |                           |           |         | Complete if Known      |                           |  |
|-------------------------------|---------------------------|-----------|---------|------------------------|---------------------------|--|
|                               | 5, 10mm 1440 <i>bm</i> 13 |           |         | Application Number     | 10/749,140                |  |
| INFO                          | RMATION I                 | DISCL     | OSURE   | Filing Date            | December 29, 2003         |  |
| STA                           | TEMENT BY                 | / APP     | LICANT  | First Named Inventor   | John D. Dobak, III et al. |  |
|                               |                           |           |         | Group Art Unit         | 3739                      |  |
| (use                          | e as many sheet           | ts as nec | essary) | Examiner Name          | Unknown                   |  |
| Sheet                         | 13                        | of        | 21      | Attorney Docket Number | 009005                    |  |

|                    |              | OTHER PRIOR ART—NON-PATENT LITERATURE DOCUMENTS   |                |
|--------------------|--------------|---|----------------|
| Examiner Initials' | Cite<br>No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|                    | KM           | Maas, C. Intermittent Antegrade Selective Cerebral Perfusion during Circulatory Arrest for Repair of Aortic Arch. Perfusion, Vol. 12, No. 2, pp. 127–132, 1997.   |                |
|                    | KN           | Marekovic, Z.; Abstract of Renal Hypothermia in Situ by Venous Passages: Experimental Work on Dogs; 1980; Eur Urol 6(2); 1 page.  |                |
|                    | КО           | Matsukawa, T., A. Kurz, D. I. Sessler, A. R. Bjorksten, B. Merrifield, and C. Cheng, <i>Propofol Linearly Reduces the Vasoconstriction and Shivering Thresholds</i> , 05/1995, pp. 1169–1180, Anesthesiology, Vol. 82, N. 5.                                    |                |
|                    | KP           | Meden, P., K. Overgaard, H. Pedersen, G. Boysen, <i>Effect of Hypothermia</i> and Delayed Thrombolysis in a Rat Embolic Stroke Model, 1994, pp. 91–98, Acta Neurol. Scand. Vol. 90.   |                |
|                    | KQ           | Meden; Effect of Hypothermia and Delayed Thrombolysis in a Rat Embolic Stroke Model; 12/1993; pp. 91-98; Acta Neurologica Scandinavica.   |                |
|                    | KR           | Meden; The Influence of Body Temperature on Infarct Volume and Thrombolytic Therapy in a Rat Embolic Stroke Model; 02/1994; pp. 131-138; Brain Research, Vol. 647.  |                |
|                    | KS           | Milleret, Rene; La cryo-chirurgie danes les varices des mimbres inferieurs; Angiologie; Supplement au no. 110.  |                |
|                    | KT           | Milleret; Abstract of <i>Cryosclerosis of the Saphenous Veins in Varicose Reflux in the Obese and Elderly</i> ; 10.1981; one page; Phlebologie, Vol. 34, No. 4.   |                |
|                    | KU           | Pais, S. O., K. D. Tobin, C. B. Austin, and L. Queral, <i>Percutaneous Insertion of the Greenfield Inferior Vena Cava Filter: Experience with Ninety-Six Patients</i> , 10/1988, pp. 460–464, Journ. of Vascular Surg., Vol. 8, N. 4.                           |                |
|                    | KV           | Parkins; Brain Cooling in the Prevention of Brain Damage During Periods of Circulatory Occlusion in Dogs; 04/1954; pp.284-289; Annals of Surgery, Vol. 140, No. 3.  |                |

| Examiner  | Date       |
|-----------|------------|
| Signature | Considered |
| eignataro |            |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

considered. Include copy of this form with next communication to applicant.

12 Unique citation designation number. Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE

| Substitute for form 1449B/PTO |                      |          |          | Complete if Known      |                           |  |  |
|-------------------------------|----------------------|----------|----------|------------------------|---------------------------|--|--|
| Cabballate                    | 101 101111 14435/1 1 | •        |          | Application Number     | 10/749,140                |  |  |
| INF                           | ORMATION             | DISCL    | .OSURE   | Filing Date            | December 29, 2003         |  |  |
| l st <i>a</i>                 | TEMENT B             | Y APP    | LICANT   | First Named Inventor   | John D. Dobak, III et al. |  |  |
|                               |                      |          |          | Group Art Unit         | 3739                      |  |  |
| (u:                           | se as many shee      | ts as ne | cessary) | Examiner Name          | Unknown                   |  |  |
| Sheet                         | 14                   | of       | 21       | Attorney Docket Number | 009005                    |  |  |

|                       |              | OTHER PRIOR ART—NON-PATENT LITERATURE DOCUMENTS  |                |
|-----------------------|--------------|--|----------------|
| Examiner<br>Initials' | Cite<br>No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.        | T <sup>2</sup> |
|                       | KW           | Patton, J. H, T. C. Fabian, M. A. Croce, G. Minard, F. E. Pritchard, and K. A. Kudsk, <i>Prophylactic Greenfield Filters: Acute Complications and Long-Term Follow-Up,</i> 08/1996; pp. 231–237; Journ. of Trauma: Injury, Infection, and Critical Care, Vol. 41, N.2. |                |
|                       | KX           | Piepgras; Rapid Active Internal Core Cooling for Induction of Moderate Hypothermia in Head Injury by Use of an Extracorporeal Heat Exchanger, 02/1998; pp. 311-318; Neurosurgery, Vol. 42, No. 2.  |                |
|                       | KY           | Rijken; Plasminogen Activation at Low Temperatures in Plasma Samples Containing Therapeutic Concentrations of Tissue-Type Plasminogen Activator or Other Thrombolytic Agents; 10/1989; pp.47-52; place of publication unknown.   |                |
|                       | KZ           | Rohrer, M. J. and A. M. Natale, <i>Effect of Hypothermia on the Coagulation Cascade</i> , 10/1992, pp. 1402–1405, Critical Care Medicine, Vol. 20, N. 10.  |                |
|                       | LA           | Schmid-Elsaesser, R. et al. (1999), Combination Drug Therapy and Mild Hypothermia: A Promising Treatment Strategy for Reversible, Focal Cerebral Ischemia, Stroke, 1891–1899, June.  |                |
|                       | LB           | Schwartz, A.E. et al.; (1996); Isolated cerebral hypothermia by single carotid artery perfusion of extracorporeally cooled blood in baboons; Neurosurgery 39(3):577-582.   |                |
|                       | LC           | Schwartz; Cerebral Blood Flow during Low-flow Hypothermic Cardiopulmonary Bypass in Baboons; 06/1994; pp. 959-964; Anesthesiology, Vol. 81, No.4.  |                |
|                       | LD           | Schwartz; Selective Cerebral Hypothermia by Means of Transfemoral Internal Carotid Artery Catheterization; 05/1996; pp.571-572; Radiology, Vol. 201, No. 2.  |                |
|                       | LE           | Sessler, Daniel I.; "Mild Perioperative Hypothermia"; The New England Journal of Medicine; 336:1730–1737; June 12, 1997.   |                |
|                       | LF           | Sharkey, A., J. M. Lipton, M. T. Murphy, and A. H. Giesecke, <i>Inhibition of Postanesthestic Shivering with Radiant Heat</i> , 02/1987, pp. 249–252, <i>Anesthesiology</i> , Vol. 66, N. 2.   |                |

| Examiner  | Date       |  |
|-----------|------------|--|
| Signature | Considered |  |
| 5.5       | 1          |  |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

12 Unique citation designation number. Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and trademark Office, Washington, DC 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE

| Substitute for | form 1449B/PT0  | )        |         | Complete if Known      |                           |  |
|----------------|-----------------|----------|---------|------------------------|---------------------------|--|
|                |                 | -        |         | Application Number     | 10/749,140                |  |
| INFO           | RMATION [       | DISCL    | OSURE   | Filing Date            | December 29, 2003         |  |
| STAT           | <b>EMENT BY</b> | APP      | LICANT  | First Named Inventor   | John D. Dobak, III et al. |  |
|                |                 |          |         | Group Art Unit         | 3739                      |  |
| (use           | as many sheet   | s as nec | essary) | Examiner Name          | Unknown                   |  |
| Sheet          | 15              | of       | 21      | Attorney Docket Number | 009005                    |  |

|                    |              | OTHER PRIOR ART—NON-PATENT LITERATURE DOCUMENTS   |   |
|--------------------|--------------|---|---|
| Examiner Initials' | Cite<br>No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.                                     | T |
|                    | LG           | Shiraki, K., N. Konda, and S. Sagawa, "Esphageal and Tympanic Temperature Responses to Core Blood Temperature Changes during Hyperthermia, <i>J. Appl. Physiol. 61(1):98–102</i> (1986).  |   |
|                    | LH           | Simon, M., C. A. Athanasoulis, D. Kim, F. L. Steinberg, D. H Porter, B. H. Byse, S. Kleshinski, S. Geller, D. E. Orron, and A. C. Waltman; <i>Simon Nitinol Inferior Vena Cava Filter: Initial Clinical Experience</i> , 07/1989, pp. 99–103; Radiology.  |   |
|                    | LI           | Steen; The Detrimental Effects of Prolonged Hypothermia and Rewarming in the Dog; 08/1979 ;pp. 224-230; Anesthesiology, Vol. 52, No. 3.   |   |
|                    | LJ           | Vandam; <i>Hypothermia</i> ; 09/1959; pp.546-553; The New England Journal of Medicine.  |   |
|                    | LK           | Villamaria, F. J., C. E. Baisden, A. Hillis, M. H. Rajab, and P. A. Rinaldi, "Forced-Air Warming is No More Effective than Conventional Methods for Raising Postoperative Core Temperature After Cardiac Surgery," <i>Journ. Cardiothoracic and Vascular Anesth.</i> , 11(6):708–711, October 1997. |   |
|                    | LL           | White; Cerebral Hypothermia and Circulatory Arrest; 07/1978; pp.450-458; Mayo Clinic Proceedings, Vol. 53.  |   |
|                    | LM           | Yenari; Thrombolysis with Tissue Plasminogen Activator (TPA) is Temperature Dependent; 07/1994; pp.475-481; Thrombosis Research, vol. 77, No.5.   |   |
|                    | KN           | Yoshihara; Changes in Coagulation and Fibrinolysis Occurring in Dogs during Hypothermia; August 1984; pp.503-512; Thrombosis Research, Vol. 37, No. 4.  |   |
|                    | LO           | Zarins; Circulation in Profound Hypothermia; November 1972; pp. 97-104; Journal of Surgical Research, Vol. 14, N. 2.  |   |
|                    | LP           | Zweifler, R. M. and D. I. Sessler, "Thermoregulatory Vasoconstriction and Shivering Impede Therapeutic Hypothermia in Acute Ischemic Stroke Patients," <i>Journ. Stroke and Cerebrovascular Diseases</i> , 6(2):100–104, 1996.  |   |

| Examiner  | Date       |  |
|-----------|------------|--|
| Signature | · ·        |  |
| Signature | Considered |  |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

12Unique citation designation number. 2Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and trademark Office, Washington, DC 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

16

of

Sheet

Approved for use through 10/31/99, OMB 0651-0031

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE

009005

Under the Paperwork Reduction Act of 1995, no persons are required to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449B/PTO **Application Number** 10/749,140 INFORMATION DISCLOSURE Filing Date December 29, 2003 First Named Inventor John D. Dobak, III et al. STATEMENT BY APPLICANT Group Art Unit 3739 (use as many sheets as necessary) **Examiner Name** Unknown

Attorney Docket Number

|                       | U.S. PATENT DOCUMENTS |  |          |  |   |   |  |  |
|-----------------------|-----------------------|--|----------|--|---|---|--|--|
| Examiner<br>Initials' | Cite<br>No.1          | U.S. Patent Document  Number Kind Code² (if known) |          | Name of Patentee or Applicant of Cited<br>Document | Date of Publications of<br>Cited document<br>MM-DD-YYYY | Pages, Column, Lines, Where Relevant Passages<br>or Relevant Figures Appear |  |  |
|                       | LQ                    | 5,549,559  |          | Eshel  | 8/27/1996   |   |  |  |
|                       | LR                    | 3,125,096  |          | Antiles et al.                                     | 07/07/1961  |   |  |  |
|                       | LS                    | 4,216,767  |          | Aoshiro  | 08/12/1980  |   |  |  |
|                       | LT                    | 4,241,729  |          | Aoshiro  | 12/30/1980  |   |  |  |
|                       | LU                    | 4,323,071  | <u> </u> | Simpson et al.                                     | 04/06/1982  |   |  |  |
|                       | LV                    | 4,497,890  |          | Helbert  | 02/05/1985  |   |  |  |
|                       | LW                    | 4,739,492  |          | Cochran  | 04/19/1988  |   |  |  |
|                       | LX                    | 4,796,640  |          | Webler   | 01/10/1989  |   |  |  |
|                       | LY                    | 4,819,655  |          | Webler   | 04/11/1989  |   |  |  |
|                       | LZ                    | 4,973,493  |          | Guire  | 11/27/1990  |   |  |  |
|                       | MA                    | 4,979,959  |          | Guire  | 12/25/1990  |   |  |  |
|                       | MB                    | 5,180,364  |          | Ginsburg   | 01/19/1993  |   |  |  |
|                       | MC                    | 5,322,514  | l        | Steube et al.                                      | 06/21/1994  |   |  |  |
|                       | MD                    | 5,322,515  |          | Karas et al.                                       | 06/21/1994  |   |  |  |
|                       | ME                    | 5,322,518  |          | Schneider et al.                                   | 06/21/1994  |   |  |  |
|                       | MF                    | 5,326,165  |          | Walthall et al.                                    | 07/05/1994  |   |  |  |
|                       | MG                    | 5,326,166  |          | Walthall et al.                                    | 07/05/1994  |   |  |  |
|                       | МН                    | 5,330,435  |          | Vaillancourt                                       | 07/19/1994  |   |  |  |
| <u> </u>              | МІ                    | 5,330,519  |          | Mason et al.                                       | 07/19/1994  |   |  |  |
|                       | MJ                    | 5,354,272  |          | Swendson et al.                                    | 10/11/1994  |   |  |  |
|                       | MK                    | 5,364,364  |          | Kasvikis et al.                                    | 11/15/1994  |   |  |  |
|                       | ML                    | 5,554,119  |          | Harrison et al.                                    | 09/10/1996  |   |  |  |
|                       | ММ                    | 5,800,516  | 1        | Fine et al.  | 09/01/1998  |   |  |  |
|                       | MN                    | 5,891,094  |          | Masterson et al.                                   | 04/06/1999  |   |  |  |
|                       | МО                    | 5,957,917  |          | Doiron et al.                                      | 09/28/1999  |   |  |  |
|                       | MP                    | 5,964,751  |          | Amplatz et al.                                     | 10/12/1999  |   |  |  |
|                       | MQ                    | 6,261,312  |          | Dobak, III et al.                                  | 07/17/2001  |   |  |  |
|                       | MR                    | 6,295,990  |          | Lewis et al.                                       | 10/02/2001  |   |  |  |
|                       | MS                    | 6,312,452  | <u> </u> | Dobak, III et al.                                  | 11/06/2001  |   |  |  |
|                       | MT                    | 6,315,754  |          | Daoud et al.                                       | 11/13/2001  |   |  |  |
| <del></del>           | MU                    | 6,319,248  | <u> </u> | Nahon  | 11/20/2001  |   |  |  |
|                       | MV                    | 6,336,911  |          | Westerbeck   | 01/08/2002  |   |  |  |

| Examiner    | Date       |  |
|-------------|------------|--|
| _ Signature | Considered |  |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

12 Unique citation designation number. Applicant is to place a check mark here if English language Translation is attached.

of

Approved for use through 10/31/99, OMB 0651-0031

009005

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to a collection of information unless it contains a valid OMB control number.

Complete if Known Substitute for form 1449B/PTO **Application Number** 10/749,140 December 29, 2003 INFORMATION DISCLOSURE Filing Date First Named Inventor John D. Dobak, III et al. STATEMENT BY APPLICANT Group Art Unit 3739 (use as many sheets as necessary) **Examiner Name** Unknown Sheet 17

**Attorney Docket Number** 

|                       |              |  |   | U.S. PATENT DOCUM                                  | MENTS   |  |
|-----------------------|--------------|--|---|--|---|--|
|                       |              | U.S. Patent Document                     | t |  |   |  |
| Examiner<br>Initials' | Cite<br>No.1 | Number Kind Code <sup>2</sup> (if known) |   | Name of Patentee or Applicant of Cited<br>Document | Date of Publications of<br>Cited document<br>MM-DD-YYYY | Pages, Column, Lines, Where Relevant Passages or Relevant Figures Appear |
| !                     | MW           | 20010011184                              |   | Dobak, III et al.                                  | 08/02/2001  |  |
|                       | MX           | 20010011185                              |   | Dobak, III et al.                                  | 08/02/2001  |  |
|                       | MY           | 20010014802                              |   | Tu   | 08/16/2001  |  |
|                       | MZ           | 20010029394                              |   | Dobak, III et al.                                  | 10/11/2001  |  |
|                       | NA           | 20010047196                              |   | Ginsburg et al.                                    | 11/29/2001  |  |
|                       | NB           | 20020002394                              |   | Dobak, III   | 01/03/2002  |  |
|                       | NC           | 20020007179                              |   | Dobak, III et al.                                  | 01/17/2002  |  |
|                       | ND           | 20020007202                              |   | Dobak, III et al.                                  | 01/17/2002  |  |
|                       | NE           | 20020007203                              |   | Gilmartin et al.                                   | 01/17/2002  |  |
|                       | NF           | 20020032474                              |   | Dobak, III et al.                                  | 03/14/2002  |  |
|                       | NG           | 1,011,606                                |   | Fulton   | 12/12/1911  |  |
|                       | NH           | 2,148,541                                |   | Dierker  | 02/28/1939  |  |
|                       | NI           | 2,466,042                                |   | Reich  | 04/05/1949  |  |
|                       | NJ           | 3,604,419                                |   | Diskin et al.                                      | 09/19/1968  |  |
|                       | NK           | 3,768,484                                |   | Gawura   | 10/30/1973  |  |
|                       | NL           | 4,160,455                                |   | Law  | 07/10/1979  |  |
|                       | NM           | 4,464,172                                |   | Lichtenstein                                       | 08/07/1984  |  |
|                       | NN           | 4,731,072                                |   | Aid  | 03/15/1988  |  |
|                       | NO           | 4,747,826                                |   | Sassano  | 05/31/1988  |  |
|                       | NP           | 4,781,799                                |   | Herbert, Jr. et al,.                               | 11/01/1988  |  |
|                       | NQ           | 5,106,368                                |   | Uldall et al.                                      | 04/21/1992  |  |
|                       | NR           | 5,112,438                                |   | Bowers   | 05/12/1992  |  |
|                       | NS           | 5,236,908                                |   | Gruber et al.                                      | 08/17/1993  |  |
|                       | NT           | 5,496,311                                |   | Abele et al.                                       | 03/05/1996  |  |
|                       | NU           | 5,520,682                                |   | Baust et al.                                       | 05/28/1996  |  |
|                       | NV           | 5,536,247                                |   | Thornton   | 07/16/1996  |  |
|                       | NW           | 5,733,319                                |   | Neilson et al.                                     | 03/31/1998  |  |
|                       | NX           | 5,800,488                                |   | Crockett   | 09/01/1998  |  |
| -                     | NY           | 5,800,493                                |   | Stevens et al.                                     | 04/26/1995  |  |
|                       | NZ           | 5,833,673                                |   | Ockuly et al.                                      | 11/10/1998  |  |
|                       | OA           | 5,834,465                                |   | Olney  | 11/10/1998  |  |
|                       | ОВ           | 5,967,976                                |   | Larsen et al.                                      | 10/19/1999  |  |

| Examiner  | Date       |  |
|-----------|------------|--|
| Signature | Considered |  |
|           |            |  |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

12 Unique citation designation number. 2 Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE

| Substitute for | form 1449B/PTC                    | )     |        | Complete if Known      |                           |  |
|----------------|-----------------------------------|-------|--------|------------------------|---------------------------|--|
| Oubstitute 101 | 101111 1443011 10                 | •     |        | Application Number     | 10/749,140                |  |
| INFO           | RMATION [                         | DISCL | OSURE  | Filing Date            | December 29, 2003         |  |
| STAT           | EMENT BY                          | APPI  | LICANT | First Named Inventor   | John D. Dobak, III et al. |  |
|                |                                   |       | ,      | Group Art Unit         | 3739                      |  |
| (use           | (use as many sheets as necessary) |       |        | Examiner Name          | Unknown                   |  |
| Sheet          | 18                                | of    | 21     | Attorney Docket Number | 009005                    |  |

|                                       | U.S. PATENT DOCUMENTS |                            |   |  |   |   |  |  |
|---------------------------------------|-----------------------|----------------------------|---|--|---|---|--|--|
|                                       |                       | U.S. Patent Document       |   | U.S. Patent Document                               |   |   |  |  |
| Examiner<br>Initials'                 | Cite<br>No.1          | Number Kind Co<br>(if know |   | Name of Patentee or Applicant of Cited<br>Document | Date of Publications of<br>Cited document<br>MM-DD-YYYY | Pages, Column, Lines, Where Relevant Passages<br>or Relevant Figures Appear |  |  |
|                                       | ос                    | 5,968,009                  |   | Simán  | 10/19/1999  |   |  |  |
|                                       | OD                    | 6,007,692                  |   | Herbert et al.                                     | 12/28/1999  |   |  |  |
|                                       | OE                    | 6,011,995                  |   | Guglielmi et al.                                   | 01/04/2000  |   |  |  |
|                                       | OF                    | 6,063,101                  |   | Jacobsen et al.                                    | 05/16/2000  |   |  |  |
|                                       | OG                    | 6,146,814                  |   | Millet   | 11/14/2000  |   |  |  |
|                                       | ОН                    | 6,182,666                  |   | Dobak, III   | 02/06/2001  |   |  |  |
|                                       | OI                    | 6,206,004                  |   | Schmidt et al.                                     | 03/27/2001  |   |  |  |
|                                       | OJ                    | 6,364,899                  |   | Dobak, III   | 04/02/2002  |   |  |  |
|                                       | ОК                    | 6,428,563                  |   | Keller   | 08/06/2002  |   |  |  |
|                                       | OL                    | 20010041923                |   | Dobak, III   | 11/15/2001  |   |  |  |
|                                       | ОМ                    | 20020040717                |   | Dobak, III   | 04/11/2002  |   |  |  |
|                                       | ON                    | 20020045852                |   | Saab   | 04/18/2002  |   |  |  |
|                                       | 00                    | 20020045892                |   | Kramer   | 04/18/2002  |   |  |  |
|                                       | OP                    | 20020068964                |   | Dobak, III   | 06/06/2002  |   |  |  |
|                                       | log                   | 20020091378                |   | Dobak, III et al.                                  | 07/11/2002  |   |  |  |
|                                       | OR                    | 20020091429                |   | Dobak, III et al.                                  | 07/11/2002  |   |  |  |
|                                       | OS                    | 20020091430                |   |  | <del> </del>  |   |  |  |
|                                       | ОТ                    | 20020095200                |   | Dobak, III et al.                                  | 07/11/2002  |   |  |  |
| · · · · · · · · · · · · · · · · · · · | OU                    | 20020093200                |   | Dobak, III et al.                                  | 07/18/2002  |   |  |  |
|                                       | OV                    |                            |   | Dobak, III   | 07/25/2002  |   |  |  |
|                                       | 1                     | 20020103519                |   | Dobak, III et al.                                  | 08/01/2002  |   |  |  |
|                                       | ow                    | 3,087,493                  |   | Schossow   | 04/27/1960  |   |  |  |
|                                       | OX                    | 3,228,400                  |   | Armao  | 01/11/1966  |   |  |  |
|                                       | OZ                    | 4,111,209<br>4,391,029     |   | Wolvek, et al. Czuba, et al.                       | 09/05/1978<br>07/05/1983                                |   |  |  |
|                                       | PA                    | 4,439,188                  |   | Dennehey, et al.                                   | 03/27/1984  |   |  |  |
|                                       | PB                    | 4,559,043                  |   | Whitehouse, et al.                                 | 12/17/1985  |   |  |  |
|                                       | PC                    | 4,660,803                  |   | Johnston, et al.                                   | 04/28/1987  |   |  |  |
|                                       | PD                    | 4,712,811                  |   | Wier   | 12/15/1987  |   |  |  |
|                                       | PE                    | 4,715,380                  |   | Harris   | 12/29/1987  |   |  |  |
|                                       | PF                    | 4,752,292                  |   | Lopez, et al.                                      | 06/21/1988  |   |  |  |
|                                       | PG                    | 4,806,182                  |   | Rydell, et al.                                     | 02/21/1989  |   |  |  |
|                                       | PH                    | 4,863,442                  |   | DeMello, et al.                                    | 09/05/1989  |   |  |  |
|                                       | PI                    | 4,923,228                  |   | Laipply  | 05/08/1990  |   |  |  |
|                                       | PJ                    | 4,945,621                  | L | Sugiyama   | 08/07/1990  |   |  |  |

| Examiner  | Date       |  |
|-----------|------------|--|
| Signature | Considered |  |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

considered. Include copy of this form with next communication to applicant.

12Unique citation designation number. Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE

| Substitute for                          | form 1449B/P   | TO     |         | Complete if Known      |                           |  |  |
|---|----------------|--------|---------|------------------------|---------------------------|--|--|
| Cubolituto ioi                          | 101111 1440011 | .0     |         | Application Number     | 10/749,140                |  |  |
| INFO                                    | RMATION        | DISCLO | OSURE   | Filing Date            | December 29, 2003         |  |  |
| STATEMENT BY APPLICANT                  |                |        |         | First Named Inventor   | John D. Dobak, III et al. |  |  |
| • |                |        |         | Group Art Unit         | 3739                      |  |  |
| (use as many sheets as necessary)       |                |        | essary) | Examiner Name          | Unknown                   |  |  |
| Sheet                                   | 19             | of     | 21      | Attorney Docket Number | 009005                    |  |  |

|                       |              |   | U.S. PATENT DOCUM                                  | MENTS   |  |
|-----------------------|--------------|---|--|---|--|
|                       |              | U.S. Patent Document                        | J.S. THEELT DOCUM                                  | TENTS TO THE PERSON NAMED IN COLUMN |  |
| Examiner<br>Initials' | Cite<br>No.1 | Number Kind Code <sup>2</sup><br>(if known) | Name of Patentee or Applicant of Cited<br>Document | Date of Publications of<br>Cited document<br>MM-DD-YYYY   | Pages, Column, Lines, Where Relevant Passages or Relevant Figures Appear |
|                       | PK           | 4,950,260                                   | Bonaldo  | 08/21/1990  |  |
|                       | PL           | 4,998,927                                   | Vaillancourt                                       | 03/12/1991  |  |
|                       | PM           | 5,037,142                                   | Helping  | 08/06/1991  |  |
|                       | PN           | 5,059,057                                   | Graef  | 10/22/1991  |  |
|                       | PO           | 5,098,395                                   | Fields   | 03/24/1992  |  |
|                       | PP           | 5,104,342                                   | Liu, et al.  | 04/14/1992  |  |
|                       | PQ           | 5,122,123                                   | Vaillancourt                                       | 06/16/1992  |  |
|                       | PR           | 5,129,887                                   | Euteneuer, et al.                                  | 07/14/1992  |  |
|                       | PS           | 5,215,529                                   | Fields, et al.                                     | 06/01/1993  |  |
|                       | PT           | 5,344,414                                   | Lopez, et al.                                      | 09/06/1994  |  |
|                       | PU           | 5,449,205                                   | Silletti, et al.                                   | 09/12/1995  |  |
|                       | PV           | 5,470,113                                   | Schwalm, et al.                                    | 11/28/1995  | ***  |
|                       | PW           | 5,496,076                                   | Lin  | 03/05/1996  |  |
|                       | PX           | 5,617,854                                   | Munsif   | 04/08/1997  |  |
|                       | PY           | 5,683,438                                   | Grahn  | 11/04/1997  |  |
|                       | PZ           | 5,688,254                                   | Lopez, et al.                                      | 11/18/1997  |  |
|                       | QA           | 5,713,848                                   | Dabrul, et al.                                     | 02/03/1998  |  |
|                       | QB           | 5,776,116                                   | Lopez, et al.                                      | 07/07/1998  |  |
|                       | QC           | 5,879,033                                   | Hansel, et al.                                     | 03/09/1999  |  |
|                       | QD           | 5,881,774                                   | Utterberg  | 03/16/1999  |  |
|                       | QE           | 5,890,929                                   | Mills, et al.                                      | 04/06/1999  |  |
|                       | QF           | 5,951,059                                   | Kitamura   | 09/14/1999  |  |
|                       | QG           | 5,954,708                                   | Lopez, et al.                                      | 09/21/1999  |  |
|                       | QH           | 5,967,569                                   | Vaillancourt et al.                                | 10/19/1999  |  |
|                       | QI           | 5,971,950                                   | Lopez, et al.                                      | 10/26/1999  |  |
|                       | QJ           | 6,050,949                                   | White, et al.                                      | 04/18/2000  |  |
|                       | QK           | 6,113,626                                   | Clifton, et al.                                    | 09/05/2000  |  |
|                       | QL           | 6,149,624                                   | McShane  | 11/21/2000  |  |
|                       | QM           | 6,576,002                                   | Dobak, III   | 06/10/2003  |  |

| Examiner  | Date       |  |
|-----------|------------|--|
| Signature | Considered |  |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

considered. Include copy of this form with next communication to applicant.

12 Unique citation designation number. Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE

| Substitute for | form 1449B/D                      | OTO.    |       | Complete if Known      |                           |  |
|----------------|-----------------------------------|---------|-------|------------------------|---------------------------|--|
| Substitute to  | 10111 14450/                      | .0      |       | Application Number     | 10/749,140                |  |
| INFOF          | RMATION                           | DISCLO  | OSURE | Filing Date            | December 29, 2003         |  |
| STAT           | EMENT E                           | SY APPL | ICANT | First Named Inventor   | John D. Dobak, III et al. |  |
| 0.71.          |                                   |         |       | Group Art Unit         | 3739                      |  |
| (use           | (use as many sheets as necessary) |         |       | Examiner Name          | Unknown                   |  |
| Sheet          | 20                                | of      | 21    | Attorney Docket Number | 009005                    |  |

|                           |              |                     |   | FOREIGN PATENT DO                                  | CUMENTS   |   |    |
|---------------------------|--------------|---------------------|---|--|---|---|----|
|                           |              | Fore                | eign Patent Document                                      |  |   |   |    |
| Examin<br>er<br>Initials' | Cite<br>No.1 | Office <sup>3</sup> | Number <sup>4</sup> Kind Code <sup>5</sup> (<br>if known) | Name of Patentee or Applicant of Cited<br>Document | Date of Publications of<br>Cited document<br>MM-DD-YYYY | Pages, Column, Lines, Where Relevant Passages<br>or Relevant Figures Appear | Τ° |
|                           | Q<br>N       | AU                  | AU199716917 B2  | Radiant Medical, Inc.                              | 03/15/2001  |   |    |
|                           | Q<br>O       | EP                  | EP 0 428 505 B2   | Gambro Lundia AB                                   | 03/14/2001  |   |    |
| 1                         | QP           | EP                  | EP 1172932 A2   | First Circle Medical                               | 07/19/2001  |   |    |
|                           | Q<br>Q       | wo                  | WO 97/32518   | Scimed Life Systems                                | 09/12/1997  |   |    |
|                           | Q<br>R       | AU                  | AU 734506 C   | Innercool Therapies, Inc.                          | 11/08/2001  |   |    |
|                           | QS           | AU                  | AU 739996 B2  | Innercool Therapies, Inc.                          | 10/25/2001  |   |    |
|                           | QT           | AU                  | AU 743945 B2  | Radiant Medical, Inc.                              | 02/07/2002  |   |    |
|                           | Q<br>U       | wo                  | WO 98/19529   | 21 <sup>st</sup> Century Medicine                  | 05/14/1998  |   |    |
|                           | QV           | wo                  | WO 99/05996   | Vasu   | 02/11/1999  |   |    |

|  | OTHER PRIOR ART—NON-PATENT LITERATURE DOCUMENTS |   |                |  |
|--|---|---|----------------|--|
| Examiner<br>Initials'  | Cite<br>No.1                                    | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |  |
|  | QW  | Anon, "Automatic feedback instrumentation for hospital room utilizing microsensors," <i>IBM Technical Disclosure Bulletin (abs.), 29(3): 1 page</i> , August 1986.  |                |  |
| Carrol et al. "A comparison of measurements from a temporal a thermometer and a pulmonary artery thermistor—preliminary recorrespondence dated October 19, 2001. |   |   |                |  |
|  | QY  | DeFord et al. "Design and evaluation of closed-loop feedback control of minimum temperatures in human intracranial tumours treated with interstitial hyperthermia," <i>Med. &amp; Biol. Eng. &amp; Comput. 29:197–206,</i> March 1991.                          |                |  |
|  |   | Kogaku "Sensor technology to control artificial organs," <i>KLA</i> , 22(4):295–300, August 1984 (in Japanese).   |                |  |
|  | RA  | Möller et al. "Temperature control and light penetration in a feedback interstitial laser thermotherapy system," <i>Int. J. Hyperthermia</i> , 12(1):49–63, 1996.   |                |  |

| Examiner  | Date       |  |
|-----------|------------|--|
| Signature | Considered |  |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

12 Unique citation designation number. 2 Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and trademark Office, Washington, DC 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Patent and Trademark Office: U.S./DEPARTMENT OF COMMERCE

| Substitute for form 1449B/PTO                 |    |    |         | Complete if Known      |                           |  |
|---|----|----|---------|------------------------|---------------------------|--|
| Substitute for form 1443D/1 TO                |    |    |         | Application Number     | 10/749,140                |  |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT |    |    |         | Filing Date            | December 29, 2003         |  |
|   |    |    |         | First Named Inventor   | John D. Dobak, III et al. |  |
|   |    |    |         | Group Art Unit         | 3739                      |  |
| (use as many sheets as necessary)             |    |    | essary) | Examiner Name          | Unknown                   |  |
| Sheet   | 21 | of | 21      | Attorney Docket Number | 009005                    |  |

|                       |  | OTHER PRIOR ART—NON-PATENT LITERATURE DOCUMENTS   |                |
|-----------------------|--|---|----------------|
| Examiner<br>Initials' | Cite<br>No.1   | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|                       | RB   | Olshausen et al. "An isothermal flowmeter with improved frequency response for measuring tissue blood flow," <i>Pflügers Arch.</i> 367:97–102, 1976.  |                |
|                       | RC   | Weale, F.E.; "The Aneroid Manometer in Peripheral Arterial Surgery; The British Journal of Surgery; Vol. 56, No. 8, Pages 557-560 (August 1969).  |                |
| P                     | RD   | White, Robert J., et al.; "Profound Selective Cooling and Ischemia of Primate Brain without Pump or Oxygenator"; Surgery, Vol. 66, No. 1, pp. 224-232 (July 1969).  |                |
|                       | RE   | Fedor, E.J., et al.; "Rewarming Following Hypothermia of Two to Twelve Hours"; Annals of Surgery; Vol. 147, No. 4, pp. 515-530 (April 1958).  |                |
|                       | RF   | Bristow, Gerald K., et al.; "Contribution of Exercise and Shivering to Recovery from Induced Hypothermia (31.2C) in One Subject"; Aviation, Space, and Environmental Medicine"; pp 549-552 (June 1988).   |                |
|                       | RG   | Jessen, K.; "An Assessment of Human Regulatory Nonshivering Thermogesis"; Acta Anaesth. Scand.; Vol. 24, pp. 138-143 (1980).  |                |
|                       | RH   | Wakida, et al.; "Percutaneous Cooling of Ischemic Myocardium by Hypothermic Retroperfusion of Autologous Arterial Blood: Effects on Regional Myocardial Temperature Distribution and Infarct Size"; J Am Coll Cardiol; Vol. 18, No. 1, pages 293-300 (1991).    |                |
|                       | RI   | Zhao, et al.; ABSTRACT; "Indefatigable Protection with Prolonged Mild Hypothermia Following Experimental Focal Cerebralischemia in Rats"; American Stroke Association; AstraZeneca; P241 (1 Page)   |                |
|                       | RJ Lewis, Michael C.; "Hypothermia"; Anesthesiology Online Journal; available at <a href="http://www.anesthesiologyonline.com/articles/onepage.cfm?chapter_id=13&amp;journal=1">http://www.anesthesiologyonline.com/articles/onepage.cfm?chapter_id=13&amp;journal=1</a> (Released July 1998). |   |                |

|           | <br>       |  |
|-----------|------------|--|
| Examiner  | Date       |  |
| Signature | Considered |  |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not